

Message Text

CONFIDENTIAL

PAGE 01 SANTIA 00745 291901Z

42

ACTION IO-11

INFO OCT-01 ARA-06 ISO-00 DHA-02 IOE-00 CIAE-00 DODE-00

PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 ORM-02 ACDA-05 /073 W

----- 089909

P 291809Z JAN 76

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 6890

INFO USMISSION GENEVA PRIORITY

USMISSION USUN PRIORITY

C O N F I D E N T I A L SANTIAGO 0745

E.O. 11652: GDS

TAGS: UN, SHUM, CI

SUBJECT: CHILE HUMAN RIGHTS QUESTION AT THE UN HUMAN RIGHTS
COMMISSION

REF: STATE 21202

1. SUMMARY: I PRESENTED OUR VIEWS ON SITUATION RE CHILE IN UNHRC TO FONOFF DIRGEN ILLANES. HE WAS NOT HAPPY ABOUT THRUST OF PROPOSED STATEMENT BY US REP BUT POINTS OUT NEW DECREE PURPORTING TO PROVIDE PROCEDURAL PROTECTION TO DETAINEES IS MAJOR STEP FORWARD. WHILE A VISIT TO CHILE BY UNHRC WORKING GROUP IS NOT IN THE CARDS, GOC MIGHT EXPLORE OTHER MEANS OF INDICATING ITS OPENNESS TO ON-THE-SPOT OBSERVATION BY RESPONSIBLE OUTSIDERS. MEANWHILE, GOC WOULD APPARENTLY LIKE TO SHIFT EMPHASIS IN MULTI-LATERAL REPORTING ON HUMAN RIGHTS DEVELOPMENTS HERE AWAY FROM UN COMMISSION AND INTO HANDS OF INTER-AMERICAN HUMAN RIGHTS COMMISSION. END SUMMARY.

2. SINCE FONOFF DIRGEN ILLANES IS CURRENTLY COORDINATING ALL HUMAN RIGHTS ACTIVITIES IN GOC FONOFF, I CALLED ON HIM URGENTLY MORNING JAN 29 IN VIEW IMMINENCE OF UN HUMAN RIGHTS COMMISSION MEETING FEB 2.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SANTIA 00745 291901Z

3. WE WENT OVER USG VIEWPOINT, AS CONTAINED PARAS 3 AND 4 REFTTEL,

IN DETAIL AND WITH GREAT CARE. THOUGH NOT HAPPY, ILLANES APPRECIATED
PREVIEW BEING GIVEN TO GOC OF US POSITION AT UPCOMING MEETING.

4. THERE WERE TWO SPECIAL FLASH POINTS WHICH I WOULD FLAG
FOR US REP'S CONSIDERATION. FIRST OF THESE CAME WHEN ILLANES
THOUGHT I WAS STATING THAT US REP WOULD REFER IN HIS STATEMENT
SPECIFICALLY TO SHEILA CASSIDY CASE: ILLANES BELIEVES IT HAS
BEEN COMPLETELY FALSIFIED AS PART OF FOREIGN ATTACK ON GOC. I
NOTED THAT MESSAGE STATES US REP INTENDS TO MAKE REFERENCE TO
AMERICANS, AND RATHER IMPLIES THAT HE WILL NOT SINGLE OUT SHEILA
CASSIDY CASE.

5. SECOND FLASH POINT CAME, AS MIGHT HAVE BEEN FORESEEN,
WITH SUGGESTION THAT GOC MIGHT ACCEPT VISIT FROM UNHRC
WORKING GROUP IN NEAR FUTURE. ILLANES SAID THIS WAS ABSOLUTELY
FORECLOSED. PRESIDENT HAD MADE DECISION, AND WOULD NOT REVERSE
IT.

6. BULK OF CONVERSATION REVOLVED ABOUT QUESTION WHETHER OR HOW
GOC COULD ACT TO RESPOND TO INTERNATIONAL CONCERN OVER
HUMAN RIGHTS SITUATION IN CHILE. FIRST POINT DISCUSSED WAS POSITIVE
NATURE OF DECREE PUBLISHED IN JAN 29 SANTIAGO PRESS (SEPTEL),
BROADENING PROCEDURAL PROTECTION TO BE GRANTED TO PERSONS DETAINED
FOR NATIONAL SECURITY REASONS. I SAID THAT WHILE DECREE COVERED
ONLY A PART OF THE BASIC PROBLEM, AND WAY IN WHICH IT WAS IMPLEMENTED
WOULD BE IMPORTANT, I HOPED US REP WOULD TAKE IT INTO ACCOUNT
IN WHAT HE SAID IN GENEVA.

7. ILLANES MADE ADDITIONAL POINT OF INTEREST. HE SAID THAT WHILE
THERE WAS NO PROSPECT OF RECEIVING THE UNHRC WORKING GROUP,
AS HAD AGAIN BEEN MADE CLEAR TO CHAIRMAN ALLANA RECENTLY, GOC
WAS NOT WALKING AWAY FROM UN BUT RATHER, TRYING TO FIND OTHER
MEANS OF MAINTAINING USEFUL CONTACT. GOC HAD EXPRESSED ITS WILLINGNESS

TO COOPERATE WITH UN IN SUPPLYING INFORMATION; IT HAD TENTATIVELY
EXPLORED POSSIBILITY OF A VISIT BY UNSYG WALDHEIM, IT WAS CONSTANTLY
FURNISHING MATERIAL TO UNHRC SECRETARIAT CHIEF SCHREIBER.

8. WE SPECULATED INFORMALLY ABOUT THE POSSIBILITY OF OTHER VISITS
TO CHILE BY RESPONSIBLE PERSONS, TO OVERCOME SOME OF THE STIGMA
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 SANTI 00745 291901Z

INCURRED BY BARRING THE UNHRC WORKING GROUP. ILLANES WONDERED
WHETHER AMB MOYNIHAN COULD NOT VISIT CHILE. I SAID I DOUBTED
THIS WAS FEASIBLE IN VIEW OF HIS HAVY COMMITMENTS. ILLANES THEN
SUGGESTED "SOME UN UNDER SECRETARY," SUCH AS BRADFORD MORES. I
TOLD HIM WILLIAN BUFFUN NOW HELD THE JOB, AND THAT A FOLLOW-UP
TO THE TRIP MADE BY MORSE IN 1974 COULD CONCEIVABLY BE A POSSIBIL-
ITY. ILLANES INDICATED THAT HE WOULD PURSUE THIS THOUGHT IN
HIGHER QUARTERS.

9. I ASKED ILLANES WHAT HE THOUGHT THE CHILEAN SPOKESMAN WOULD DO AT THE UN HUMAN RIGHTS COMMISSION MEETING. HE SAID SERGIO DIEZ, THE GOC REP, WOULD POINT OUT TO THE COMMISSION THAT THE INTER-AMERICAN HUMAN RIGHTS COMMISSION WOULD BE DRAFTING A NEW REPORT IN MARCH, THAT THIS REPORT WOULD BE PRESENTED TO THE OAS GENERAL ASSEMBLY SOME TIME IN JUNE, THAT IT WOULD BE AN UP-TO-DATE REPORT WHICH THE GOC COULD FORWARD TO THE UN, AND THAT THE INTER-AMERICAN COMMISSION WOULD BE IN PHYSICAL ATTENDANCE IN SANTIAGO IN JUNE. IT WAS CLEAR CHILEANS ARE AT LEAST CONSIDERING TRYING TO USE THE INTER-AMERICAN COMMISSION TO COUNTERACT SOME OF THE PROBLEMS THEY ARE HAVING WITH THE UN HUMAN RIGHTS COMMISSION.

10. COMMENT: AS OUR EARLIER TELEGRAMS HAVE INDICATED, NEW PROCEDURAL DECREE WILL IF ACTUALLY IMPLEMENTED PROVIDE A CONSIDERABLE MEASURE OF PROTECTION TO DETAINEES. IT IS THE RESULT OF INTENSE EFFORT BY MODERATE ELEMENTS IN THE GOVERNMENT. I HOPE US REP CAN ASSESS IT FAIRLY IN HIS STATEMENT, AS A POSITIVE STEP RESPONSIVE TO CONCERN RE PRESENT CHILEAN PRACTICES. GOC SHOULD BE ENCOURAGED TO GO FURTHER IN DIRECTION OF PROCEDURAL PROTECTIVE MEASURES, THROUGH INVOLVEMENT OF CIVILIAN TRIBUNALS AND JURISTS.

11. AT SAME TIME, I HOPE THAT WHILE GOC WILL BE URGED TO RESUME ITS EARLIER POLICY OF OPENNESS TO RESPONSIBLE INVESTIGATING BODIES, NOT TOO MUCH OF A POINT WILL BE MADE OF REQUIREMENT TO REVERSE SPECIFICALLY THE BARRING OF THE UN WORKING GROUP. BLUNDER THOUGH IT WAS, THAT STEP IS NOW REGARDED HERE AS AN ASSERTION OF CHILE'S SOVEREIGN INDEPENDENCE. ATTEMPTS TO REOPEN MATTER ARE THEREFORE LIKELY TO BE COUNTER-PRODUCTIVE. A DIRECT INJUNCTION TO ADMIT THIS INVESTIGATING GROUP, AT OUTSIDERS' BEHEST, IS SEEN AS APPLICATION OF A STANDARD TO CHILE NEVER BEFORE REQUIRED OF ANOTHER COUNTRY.

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 SANTIAGO 00745 291901Z

12. I WOULD APPRECIATE ANY REACTIONS DEPARTMENT AND LEONARD GARMENT MAY HAVE TO FOREGOING. IF APPROPRIATE, I COULD PURSUE WITH ILLANES AND OTHERS ANY FURTHER APPROACHES DESIRED.
POPPER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, LAW, COMMITTEE MEETINGS, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 29 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: saccheem
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976SANTIA00745
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760034-0696
From: SANTIAGO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976019/aaaaahiy.tel
Line Count: 158
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 STATE 21202
Review Action: RELEASED, APPROVED
Review Authority: saccheem
Review Comment: n/a
Review Content Flags:
Review Date: 12 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 MAY 2004 by ifshinsr>; APPROVED <14 SEP 2004 by saccheem>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CHILE HUMAN RIGHTS QUESTION AT THE UN HUMAN RIGHTS COMMISSION
TAGS: SHUM, CI, US, UNHRC
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006